

chancellor shall have full power and authority to order a sale or sales to be made of the whole, or so much of the property of such idiot, lunatic or person non compos mentis, as he shall think proper, and to direct the application of the money arising from such sale or sales, and the interest thereof, for the purposes aforesaid, and to direct from time to time in what funds the money arising from said sales shall be vested, and in all things to order in the premises as he may deem for the benefit and advantage of said lunatic.

Sales to be confirmed by chancellor.

SEC. 4. *And be it enacted*, That all sales made by the authority of the chancellor, under this act, shall be notified to, and confirmed by, the chancellor, before any conveyance of the property shall be made, and bond, with good and sufficient security, to be approved by the chancellor, shall be given by the person or persons empowered to sell the property as aforesaid, for the due execution of the trust committed to him or them, which bond shall be lodged with the register in chancery.

Sum remaining, to whom it shall belong

SEC. 5. *And be it enacted*, That the principal sum arising from the sale of the said property, or so much thereof as may remain unapplied to the use and maintenance of said lunatic, during the life-time of said lunatic, shall, on the death of the said lunatic, belong to such person or persons, his, her or their heirs or legal representatives, as would have been entitled to the said property in case the same had not been sold.

CHAPTER 69.

AN ACT relative to the Jurisdiction of the Court of Appeals.

Preamble.

WHEREAS the authority and jurisdiction of the court of appeals has never been defined or ascertained, and doubts have been entertained respecting its authority to pass such judgment on a writ of error or appeal as ought to have been given in the court below, and to enforce such judgment by execution,

Court of appeals, in certain cases, to give judgment, &c.

SEC. 2. *Be it enacted, by the General Assembly of Maryland*, That the court of appeals have, and shall hereafter have, full power and authority, on reversing any judgment, or part of a judgment, at law, on a writ of error or appeal brought by a plaintiff, to give such judgment as ought to have been given by the court which gave the erroneous judgment; and in any case where the said court of appeals, on a writ of error or appeal as aforesaid, hath given or shall give such judgment as in their opinion the said court of law ought to have given, the said court of appeals shall have full power and authority to enforce their judgment by execution, in the same manner as the said court of law may enforce a judgment there given.

SEC. 3. Merged in 1804, ch. 65.

See the acts of 1804, ch. 55, and 1805, ch. 16, abolishing the then court of appeals and general court. See also 1805, ch. 10 and ch. 65.